



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

April 9, 1991

Mr. Edward W. Dunbar
Christie, Berry & Dunbar
1700 North Stanton
El Paso, Texas 79902

OR91-167

Dear Mr. Dunbar:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12012.

First, you ask whether you may withhold the certified agenda of an executive session of the board of the community college district. Certified agendas of executive sessions are made confidential by the Open Meetings Act. V.T.C.S. art. 6252-17, § 2A(h). Therefore, you must withhold the certified agenda. V.T.C.S. art. 6252-17a, § 3(a)(1).

You also raise section 3(a)(11) in regard to certain documents regarding applicants for employment with the district. Section 3(a)(11) allows a governmental body to withhold documents containing advice, opinion, or recommendation. See Open Records Decision No. 538 (1990). Most of the documents you submitted are evaluations and may be withheld under section 3(a)(11). We have marked the documents that do not fall within the scope of section 3(a)(11).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-167.

Yours very truly,

A handwritten signature in black ink, appearing to read "Sarah Woelk". The signature is fluid and cursive, with the first name "Sarah" and last name "Woelk" clearly distinguishable.

Sarah Woelk
Assistant Attorney General
Opinion Committee

SW/lcd

Ref.: ID# 12012, 12025

Enclosure: Open Records Decision No. 538

cc: Antonio V. Silva, Esq.
Attorney
Silva & Herrera
1002 Magoffin
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